

REMARKS

Claims 1-43 are pending in the present application and claims 13, and 42-43 have been amended.

Office Action of January 27, 2009

Applicant has carefully reviewed and considered the Office Action of January 27, 2009. Applicant hereby requests entry of this Response and further consideration of the present application in view of the following remarks.

In the Office Action, claims 1-43 were rejected under non statutory double patenting rejection over claims 1-33 of U.S. Pat. No. 6,728,779, claims 13-24 are rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter, and claim 43 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant respectfully traverses these grounds of rejection and requests reconsideration thereof.

The Office Action also indicated that claims 1-12 and 25-42 are allowable.

Non-Statutory Double Patenting Rejection

A terminal disclaimer is submitted herewith. Applicant submits that the rejection is overcome with submission of the terminal disclaimer and requests the rejection be withdrawn.

Rejection Under 35 U.S.C. §101

Claim 13

Claim 13 has been amended to conform to the Beauregard format and Applicant submits that claim 13 is directed to a computer readable medium and not software. Therefore, Applicant submits that amended claim 13 is directed to a statutory matter and requests the rejection be withdrawn and claim 13 allowed.

Claims 14-24

Claims 13-24 depend from claim 13 and Applicant submit that claims 14-24 are patentable for at least reasons stated above regard to the patentability of amended claim 13.

Rejection Under 35 U.S.C. §112

Claim 43

Claim 42 has been amended, such that the source for the first data set may or may not be the same as the source for the second data set, and claim 43 has been amended accordingly to indicate that the source for the first data set is not the same as the source for the second data set.

Applicant submits that the indefiniteness of claim 43 has been removed and Applicant requests the rejection be withdrawn and amended claim 43 be allowed.

Allowable Subject Matter

Applicant agrees with the Examiner that claims 1-12 and 25-42 contain allowable subject matter.

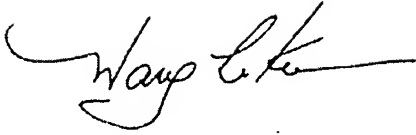
Conclusion

In view of the foregoing remarks, Applicant respectfully submits that claims 1-43 are in condition for allowance and entry of the present amendment and notification to that effect is earnestly requested. If necessary, the Examiner is invited to telephone Applicant's attorney (770-246-2599) to facilitate prosecution of this application.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees that may be required, including any necessary extensions of time, which are hereby requested to Deposit Account No. 50-4290.

Respectfully submitted,
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By his Representatives,

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